



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

**August 9, 2005**

**PUBLIC NOTICE OF APPLICATION for STATE OF WASHINGTON WATER QUALITY  
CERTIFICATION UNDER SECTION 401 OF THE FEDERAL CLEAN WATER ACT and  
COASTAL ZONE MANAGEMENT ACT CONSISTENCY**

Interested parties are hereby notified that The Nature Conservancy has submitted an application for the Shotwell's Landing Restoration project requesting a water quality certification in accordance with Section 401 of the Federal Clean Water Act, pursuant to the requirements of WAC 173-225. For projects in the 15 coastal counties, this application will also be reviewed for coastal zone consistency in accordance with Section 306 of the Coastal Zone Management Act.

This Public Notice is not an indication that Ecology or other state agencies have agreed with the proposed project. This notice is only intended to inform the public of proposed project, and ask for comments by local, state and federal agencies and the public.

**EVALUATION:** The decision to issue, deny, or condition the water quality certification (WQC) or concur with the applicant's Coastal Zone Management Act (CZMA) consistency statement, will be based on the following: for WQC, it is necessary for the proposed project to comply with the applicable provisions of the Federal Clean Water Act and appropriate State aquatic protection requirements. For a project to be declared consistent under the CZMA program, it must be in compliance with State and Federal Clean Water and Air Acts, the Shoreline Management Act, the State Environmental Policy Act, and other applicable federal and state regulations.

**COMMENT AND REVIEW PERIOD:** Ecology is soliciting comments from the public, state, and local agencies and officials, tribes, and other interested parties in order to evaluate the impacts of the activity. Ecology will consider all comments to determine whether to approve, condition, or deny a certification for the proposed work. **Comments should be sent to:**

**Lori Ochoa**  
**Department of Ecology**  
**P.O. Box 47775**  
**Olympia, WA 98504-7775**  
**e-mail: [loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov)**

**The comment period will last 7 days, from August 9, 2006 to August 15, 2006.**

The Department of Ecology is an Equal Opportunity and Affirmative Action employer and shall not discriminate on the basis of race, creed, color, national origin, sex, marital status, sexual orientation, age, religion or disability as defined by applicable state and/or federal regulations or statutes. If you have special accommodation needs, please contact Ecology's IDD Headquarters at (360) 407-6006.



**The following application for 401 Certification and CZMA consistency determination:**

PROJECT NAME: Shotwell's Landing Restoration

PROJECT NUMBER: 200600815

APPLICANT: The Nature Conservancy  
217 Pine Street, Suite 1100  
Seattle, WA 98101

AGENT OR CONTACT: Eric Delvin  
The Nature Conservancy  
120 East Union Avenue, Suite 215  
Olympia, WA 98501  
360-570-0083 [edelvin@tnc.org](mailto:edelvin@tnc.org)

ECOLOGY PROJECT REVIEWER: Lori Ochoa  
Department of Ecology  
P.O. Box 47775  
Olympia, WA 98504-7775  
360-407-6926  
[loch461@ecy.wa.gov](mailto:loch461@ecy.wa.gov)

FEDERAL AGENCY ACTION: The Corps of Engineers is reviewing this project under the Nationwide Permit Program. Final decision by the Corps of Engineers will determine if permit coverage under the nationwide permit program is appropriate or if an individual 404 permit will be required. In either case Ecology has determined that an individual 401 Water Quality Certification and CZM Determination will be required.

LOCATION: 14531 Littlerock Road, Littlerock, Thurston County, Washington. NW Section 14, Township 16 North, Range 3 West, WRIA 23.

RECEIVING WATER: Black River

PROJECT DESCRIPTION: The project is part of the USDA-Natural Resources Conservation Service Wetland Reserve Program Wetland Restoration and Enhancement project. This project will involve excavating two shallow ponds on one and a half acres for amphibian habitat enhancement. Up to 5,000 cubic yards of material may be graded as part of the work with excess materials spread over the site but not within wetlands. The total site work area is approximately four acres.

The proposed project is described in more detail in the Joint Aquatic Resource Permit Application prepared on September 12, 2005, and associated documents.

APPEALS: If the water quality certification (WQC) is issued, any person aggrieved may obtain review thereof by appeal. The applicant can appeal up to 30 days after receipt of the WQC, and all others can appeal up to 30 days from the postmarked date of the WQC. The appeal must be consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.